

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDREW HILL, an individual, on behalf
of himself and all members of the putative
class,

Plaintiff,

v.

INTERNATIONAL PAPER COMPANY,
et al.,

Defendants.

No. 1:21-cv-00029-NONE-SKO

ORDER ADOPTING THE JOINT
STIPULATION OF THE PARTIES
REGARDING CLASS DEFINITION AND
DENYING MOTION TO DISMISS AS MOOT

(Doc. Nos. 11, 16)

Plaintiff Andrew Hill filed a first amended complaint in this putative class-action lawsuit on February 17, 2021. (Doc. No. 9.) Defendant International Paper Company filed a motion to dismiss on March 10, 2021. (Doc. No. 11.) On June 28, 2021, the court ordered the parties to meet and confer to determine whether the pending motion to dismiss could be resolved by way of a stipulation. (Doc. No. 15.) On July 22, 2021, the parties filed a stipulation in response to the minute order, stipulating to an amended definition of the proposed class. (Doc. No. 16.) Therein, the parties stipulate that “Defendant’s Motion to Dismiss would be mooted by the Court’s adoption of [the parties’] stipulation.” (*Id.* at 4 (citation omitted).) The court will enter the order granting the parties’ requested relief.

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1 Accordingly,

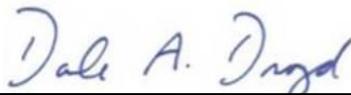
2 1. The Class Definition shall be as follows:¹

3 All current and former hourly-paid or non-exempt California based
4 employees employed by Defendants within the State of California at any
5 time during the period from December 4, 2016 to final judgment with the
6 exception of claims released up until January 27, 2017 by the settlement
7 obtained in *Melvyn Letuligasenoa, et al. v. International Paper Co., et al.*
8 (Santa Clara Superior Court Case No. 1:13-cv-254154).

9 2. Defendant's Motion to Dismiss (Doc. No. 11) is hereby DENIED, AS MOOT.

10 IT IS SO ORDERED.

11 Dated: July 31, 2021



UNITED STATES DISTRICT JUDGE

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28 ¹ To avoid any doubt, the court explicitly states that it is not certifying the class at this time.
Rather, this order merely reflects the definition of the putative class.